



DAVID SANDERS, PH.D.  
Director

# County of Los Angeles

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

425 Shatto Place, Los Angeles, California 90020  
(213) 351-5602

January 31, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Board of Supervisors  
GLORIA MOLINA  
First District  
YVONNE BRATHWAITE BURKE  
Second District  
ZEV YAROSLAVSKY  
Third District  
DON KNABE  
Fourth District  
MICHAEL D. ANTONOVICH  
Fifth District

Dear Supervisors:

### **REQUEST TO ACCEPT FISCAL YEAR 2005-06 CALIFORNIA ALTERNATIVE PAYMENT (CAPP) PROGRAM CHILD CARE GRANT FUNDING FROM THE CALIFORNIA DEPARTMENT OF EDUCATION (ALL SUPERVISORIAL DISTRICTS) – (4 VOTES)**

#### **IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve, adopt and instruct the Mayor to execute the attached Resolution (Attachment A) and the federal Certification Form [CO.8] (Attachment B). The Resolution certifies approval of the Board for the Director of the Department of Children and Family Services (DCFS) to: (a) submit an application for California Alternative Payment Program funding for FY 2006-07 and each subsequent fiscal year; (b) sign and execute CAPP funding agreements for FY 2005-06 and each subsequent fiscal year; and (c) sign and execute amendments agreements to increase or decrease the amount of funding covered by the CAPP agreement. The CAPP Agreement provides State and federal funding for subsidized child care for children under the supervision of DCFS and requires the County to meet a \$170,019 Maintenance of Effort (MOE). The Director will obtain County Counsel and Chief Administrative Office approval prior to executing CAPP agreements and amendments to the agreements.
2. Approve the attached Request for Appropriation Adjustment to increase DCFS' Other Charges appropriation by \$700,000 and State revenue by \$700,000. The FY 2005-06 Adopted Budget was developed assuming CAPP funding of \$14,383,340; however, the State CAPP funding now available is \$15,083,775. There is no net County cost (NCC) impact; the MOE remains the same and is included in the FY 2005-06 Adopted Budget.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS**

The recommended actions will allow DCFS to apply for and accept CAPP funding and enable DCFS to continue the subsidized Child Care Program for children who are at risk of abuse or neglect without interruption.

Historically, each fiscal year, the department has submitted a Resolution to your Board to certify that your Board agrees to accept CAPP funding and that authority has been delegate to the Director of DCFS to execute the CAPP contract. The attached Resolution would certify that the Director of DCFS has the delegated authority to accept the funding and execute CAPP funding agreements and amendments effective FY 2005-06 and each subsequent fiscal year thereafter unless another Resolution is adopted withdrawing the delegated authority.

### **Implementation of Strategic Plan Goals**

The recommended actions are consistent with the principles of the Countywide Strategic Plan Goals. The recommended actions will increase access to subsidized child care for children at risk of abuse or neglect (Goal #1-Service Excellence) and allow for full utilization of available funding (Goal #4-Fiscal Responsibility).

### **FISCAL IMPACT/FINANCING**

The State and federal CAPP funding available at this time is \$15,083,775. The County MOE for CAPP funding is \$170,019. Therefore, DCFS' Child Care program funding for FY 2005-06 is \$15,253,794. The FY 2005-06 Adopted Budget includes \$14,383,340 in State and federal funding and \$170,019 NCC for CAPP. The requested budget adjustment will increase Other Charges and State revenue by \$700,000 to reflect the additional State CAPP funding now available.

The CAPP Agreement also provides for 100% reimbursement of administrative costs provided total CAPP expenditures do not exceed \$15,083,775 and the administrative costs do not exceed 15% of the program expenditures.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The CAPP Agreement provides the funding for DCFS' Child Care Program. Child care is made available to DCFS children who are assessed to be at a potential risk of abuse or neglect where they live. These children are with their birth parents, or for the first time they are in the home of relative caregivers who are receiving the B-schedule foster care rate. The Program assists in avoiding out-of-home placements when appropriate. It is also a safety net for the children who are placed with relatives for the first time and there might be a potential risk of abuse or neglect. Ensuring the child's safety is the goal.

The DCFS Child Care Program served 4,734 children in FY 2004-05. In the last month of FY 2003-04, 1,538 children were served and 353 children were on eligibility lists waiting to be processed.

Changes from the FY 2004-05 FAPP (Federal Alternative Payment Provider) and GAPP (General Alternative Payment Provider-State) agreements in FY 2004-05 include the consolidation of both contracts into one agreement known as CAPP (California Alternative Payment Provider) beginning in FY 2005-06.

The agreements do not include the usual County required terms since the State is providing funding to the County and the contract is generated by the State. The Chief Administrative Office (CAO) and County Counsel have reviewed this Board letter.

### **CONTRACTING PROCESS**

No solicitation process was required.

### **IMPACT ON CURRENT SERVICES**

During the past year, approximately 400 children were enrolled each month in the DCFS Child Care Program. These CDE Agreements will allow DCFS to continue current child care services and to serve more children in FY 2005-06. The Department's goal is to serve 5,250 children in FY 2005-06.

### **CONCLUSION**

Upon approval by the Board of Supervisors, it is requested that the Executive Officer/Clerk of the Board send:

1. The signed originals of the Resolution and the federal Certification Form [CO.8] to the California Department of Education, ATTENTION: Contracts Office, P.O. Box 944272, Sacramento, California 94244-2720.
2. One (1) copy of the adopted Board letter to the Department of Children and Family Services, Budget Services Division, Attn: Tito Barin, Budget Officer, 425 Shatto Place, Room 203, Los Angeles, California 90020.

3. One (1) copy of the adopted Board letter to the Department of Children and Family Services, Attn: Robert Wiltse, Children's Services Administrator III, DCFS Child Care Program, 12440 East Imperial Highway, Room 529, Norwalk, CA 90650.
4. One (1) copy of the adopted Board letter to the Auditor-Controller, Accounting Division, Kenneth Hahn Hall of Administration, Room 603, 500 West Temple Street, Los Angeles, California 90012.
5. One (1) copy of the adopted Board letter to County Counsel's Office, Attn: David Beaudet, 201 Centre Plaza Drive, Suite 1, Monterey Park, CA 91754.

Respectfully submitted,



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David Sanders, Ph.D.  
Director

DS:LP:rw

Attachments (2)

c: Chief Administrative Officer  
County Counsel

RECEIVED  
JAN 31 2006  
CLERK OF SUPERVISORS  
COUNTY OF LOS ANGELES

This resolution must be adopted in order to certify the approval of the Governing Board to enter into this transaction with the California Department of Education (CDE) for the purpose of providing child care and development services; and to authorize the designated personnel indicated below to apply for California Alternative Payment Program (CAPP) funding and to sign contract documents for CAPP funding for Fiscal Year 2005/06 and each subsequent fiscal year thereafter provided sufficient net County cost is available to meet the Maintenance of Effort requirement.

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**RESOLUTION**

**BE IT RESOLVED** that the Governing Board of the County of Los Angeles authorizes the application for CAPP funding and entering into CAPP funding agreements with the CDE and that the person who is listed below, is authorized to sign the transaction for the Governing Board.

<u>NAME</u>	<u>TITLE</u>	<u>SIGNATURE</u>
David Sanders	Director, Department of Children and Family Services	

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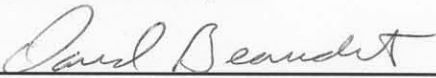
The foregoing resolution was on the \_\_\_\_\_ day of February, 2006, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-  
Clerk of the Board of Supervisors of the County of  
Los Angeles

By \_\_\_\_\_  
Deputy

**APPROVED AS TO FORM  
BY COUNTY COUNSEL**

**RAYMOND G. FORTNER, JR.**

By   
Deputy



# FEDERAL CERTIFICATIONS

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature on this form provides for compliance with certification requirements under 45 CFR Part 93, "New restrictions on Lobbying," and 45 CFR Part 76, "Government-wide Debarment and Suspension (Non procurement and Government-wide requirements for Drug-Free Workplace (Grants))." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 45 CFR Part 93, for persons entering into a grant or cooperative agreement over \$100,000 as defined at 45 CFR Part 93, Sections 93.105 and 93.110, the applicant certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

(b) If any funds other than federal appropriated funds have been or will be paid to any person for influencing or attempting to influence an employee of Congress, or any employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," in accordance with this instruction;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by executive Order 12549, Debarment and Suspension, and other responsibilities implemented at 45 CFR Part 76, for prospective participants in primary or a lower tier covered transactions, as defined at 45 CFR Part 76, Sections 76.105 and 76.110.

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification and

(d) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented 45 CFR Part 76, Subpart F, for grantees, as defined at 45 CFR Part 76, Sections 76.605 and 76.610-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The danger of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the grant, the employee will -

(2) Notify the employer in writing of his or her conviction for a violation;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants, and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

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Check ☐ if there are workplaces on file that are not identified here.

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As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

#### (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented 45 CFR Part 76, Subpart F, for grantees, as defined at 45 CFR Part 76, Sections 76.605 and 76.610-

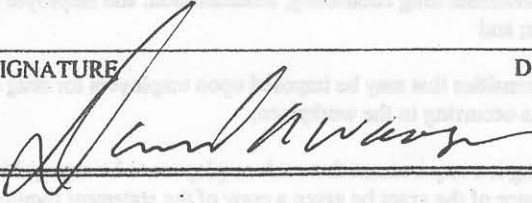
a. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant, and

b. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and contracts Service, U.S. department of Education, Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building 1 3) Washington, DC 20202-4571. Notice shall include the identification numbers(s) of each affected grant.

#### ENVIRONMENTAL TOBACCO SMOKE ACT

As required by the Pro-Children Act of 1994, (also known as Environmental Tobacco Smoke), and implemented at Public Law 103-277, Part C requires that:

The applicant certifies that smoking is not permitted in any portion of indoor facility owned or leased or contracted and used routinely or regularly for the provision of health care services, day care, and education to children under the age of 18. Failure to comply with the provisions of this law may result in the imposition of a civil monetary penalty of up to \$1,000 per day. (The law does not apply to children's services provided in private residence, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for in-patient drug and alcohol treatment.)

NAME OF APPLICANT		CONTRACT #/PROJECT #
LA County Department of Children & Family Services		CAPP-5031 - Child Care
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE		
SIGNATURE	DATE	
	12/22/2008	

COUNTY OF LOS ANGELES  
REQUEST FOR APPROPRIATION ADJUSTMENT  
DEPARTMENT OF Children and Family Services

DEPT'S. 350  
No.

19

## AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

## ADJUSTMENT REQUESTED AND REASONS THEREFOR

4-Votes

SOURCES:

Department of Children & Family Services  
Increase State Revenue  
A01-CH-26200-8727  
\$700,000

USES:

Department of Children & Family Services  
Other Charges  
A01-CH-26200-5500  
\$700,000

JUSTIFICATION:

The requested budget adjustment will increase Other Charges and State revenue by \$700,000 to reflect the additional State California Alternative Payment Program (CAPP) funding now available. There is no net County cost impact.



David Sanders, Ph.D., Director

CHIEF ADMINISTRATIVE OFFICER'S REPORT

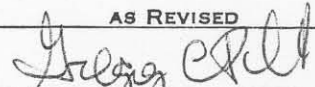
REFERRED TO THE CHIEF  
ADMINISTRATIVE OFFICER FOR—

ACTION

RECOMMENDATION

APPROVED AS REQUESTED

AS REVISED

February 6 2006  
19


CHIEF ADMINISTRATIVE OFFICER

APPROVED (AS REVISED):  
BOARD OF SUPERVISORS

19

AUDITOR-CONTROLLER BY

No.

260

FEB. 2 2006

BY

DEPUTY COUNTY CLERK

SEND 6 COPIES TO THE AUDITOR-CONTROLLER